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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/003,581	11/14/2001	Shi-Hui Tsai	1007-021	4741
22898	7590	04/28/2004	EXAMINER	
THE LAW OFFICES OF MIKIO ISHIMARU 1110 SUNNYVALE-SARATOGA ROAD SUITE A1 SUNNYVALE, CA 94087			ALI, MOHAMMAD	
			ART UNIT	PAPER NUMBER
			2177	<i>2</i>
DATE MAILED: 04/28/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/003,581	TSAL ET AL.	
	Examiner	Art Unit	
	Mohammad Ali	2177	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 14 November 2001.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) 8-12 is/are allowed.
- 6) Claim(s) 1,6 and 13-15 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____. |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____. | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____. |

DETAILED ACTION

1. The application has been examined. Claims 1-19 are pending in this Office Action.

Specification

2. The use of the trademark XML™, HTTP™, FTP™ etc. in page 5 and subsequent pages has been noted in this application. It should be capitalized wherever it appears and be accompanied by the generic terminology.

Although the use of trademarks is permissible in patent applications, the proprietary nature of the marks should be respected and every effort made to prevent their use in any manner which might adversely affect their validity as trademarks.

Claim Objections

3. Claims 1 and 8 are objected to because of the following informalities: in the preamble of the claims 1 and 8 in page 13 line 7 and page 16, line 24 consecutively ';' has been used, it should not be there. Appropriate correction is required.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was

made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. Claims 1, 6, and 13-15 rejected under 35 U.S.C. 103(a) as being unpatentable over Paul Hinckley ('Hinckley' hereinafter), US PG Pub 2002/0055886 in view of Joseph Gatto ('Gatto' hereinafter), US Patent 6,681,211

With respect to claim 1,

Hinckley discloses a method for estimating exportation time, for connecting an output/input interface of a manufacturer through a network to a system for estimating exportation time, wherein the system estimates product exportation time for client orders received by the output/input interface of the manufacturer according to practical operating conditions in product manufacture; the method comprising the (see page 11, paragraph 0121) steps of:

determining via the system if the output/input interface of the manufacturer submits a data uploading request, wherein if no uploading request is submitted, step (3) is followed; or else, the system receives manufacture associated data of client order data, material requirement data and stock record data that are uploaded by the manufacturer, and stores the uploaded data in a database of the system, and then step (2) is followed; processing data operation for the manufacture associated data of the client order data, the material requirement data and the stock record data, and storing operation data results of manufacture schedule data, order reply data, abnormal condition data and material insufficiency data in the database; then, the step (1) is followed (see page 11, paragraph 0121);

processing data operation,..... (see page 11, paragraph 0123)

determining via the system if the manufacturer submits a data downloading request, wherein if the downloading request is submitted, step (4) is followed (see page 6, paragraph

downloading operation data results from the database corresponding to the submitted request from the manufacturer, and transmitting the downloaded operation data results to the output/input interface of the manufacturer (see page 11, paragraph 0121 et seq).

Hinckley does not explicitly indicate the claimed estimating exportation time.

Gatto discloses claimed estimating exportation time at col. 25, lines 50-63.

It would have been obvious to one ordinary skill in the data processing art at the time of the present invention to combine the teachings of the cited references because estimating exportation time of Gatto's teachings would have allowed Hinckley's system to improve to view historical data analysts' prediction and actual reported data as suggested by Gatto at col. 1, lines 17-20. Estimating exportation time as taught by Gatto improves computer implemented systems and methods for use with a historical data relating to security analyst earnings estimate or other predictions (see col. 2, lines 58-60, Gatto).

As to claim 6,

Hinckley teaches wherein the output/input interface is a terminal device (Fig. 4 et seq).

With respect to claim 13,

Hinckley discloses a system for estimating exportation time comprising (see page 11, paragraph 0121):

a request input module for receiving the data uploading request or the data downloading request from the output/input interface of the manufacturer, and for generating a processing signal corresponding to the data uploading request or the data downloading request (see page 6, paragraph 0070);

a control module for receiving the processing signal from the request input module, and for outputting a controlling signal according to the received processing signal, wherein the control module includes a storage, interface, a schedule interface and a retrieval interface (see page 11, paragraph 0121);

a first database for storing the manufacture associated data of the client order- data, the material requirement data and the stock record data uploaded by the manufacturer (see page 11, paragraph 0121);

wherein if the control module receives the processing signal from the request input module corresponding to the data uploading request, it generates an uploading controlling signal for prompting; the storage interface to store the uploaded manufacture associated data in the first database, and generates an operation controlling signal for prompting the schedule interface to retrieve the uploaded data from the first database for data operation and processing (see page 6, paragraph 0070);

a second database for storing operation data results of manufacture schedule data, order reply data, abnonnal condition data and material insufficiency data produced by the control module; wherein if the control module receives the processing signal from the request input module corresponding to the data downloading request, it generates a downloading controlling signal for prompting the retrieval interface to retrieve the operation data results of the manufacture schedule data, the order reply data, the abnormal condition data and the material insufficiency data from the second database as desirably used as reference for product manufacture (see page 6, paragraph 070); and

an output control module for transmitting the retrieved data of the manufacture schedule data, the order reply data, the abnormal condition data and the material insufficiency data to the output/input interface of the manufacturer, so as to allow the manufacturer to be able to control product manufacture for exportation on time and monitor stock quantity in real time (see page 11, paragraph 0121 and page 6, paragraph 0069).

Hinckley does not explicitly indicate the claimed estimating exportation time.

Gatto discloses claimed estimating exportation time at col. 25, lines 50-63.

It would have been obvious to one ordinary skill in the data processing art at the time of the

exportation time of Gatto's teachings would have allowed Hinckley's system to improves to view historical data analysts' prediction and actual reported data as suggested by Gatto at col. 1, lines 17-20. Estimating exportation time as taught by Gatto improves computer implemented systems and methods for use with a historical data relating to security analyst earnings estimate or other predictions (see col. 2, lines 58-60, Gatto).

As to claim 14,

Hinckley teaches wherein the output/input interface is a terminal device (see page 11, paragraph 0121, fig. 4).

As to claim 15,

Hinckley teaches wherein the system is established in a server (see page 11, paragraph 0121, fig. 4).

Allowable Subject Matter

Claims 8-12 are allowed.

The following is an examiner's statement of reasons for allowance:

The prior art of record does not teach or fairly suggest in combination of all elements more specifically, wherein setting the obtained available resources from the material requirement data and the stock record data via the system to be in a reserve status, so as to make the available resources used in product manufacture for other client orders with their exportation dates being approached, or to allow an purchasing department to add up new orders for product manufacture; and establishing manufacture schedule data via the system for production lines to execute product manufacture according to order requirements, and generating order reply data so as to estimate precise product exportation tune, wherein the manufacture schedule data and the order reply data are stored in the database; thereafter, the step (1) is followed;

setting the obtained available resources from the material requirement data and the stock record data via the system to be in a usage status, so as to make the available resources used in

than the sum of the order date and the number of interval days; and constructing manufacture schedule data via the system for production lines to execute product manufacture so as to allow products to be exported on time according to the client order data, and generating order reply data so as to estimate precise product exportation time, whereas the manufacture schedule data and the order reply data are stored in the database; thereafter, the step (1) is followed.

The dependent claims 9-12, being definite, further limiting, and fully enabled by the specification and are also allowed.

Claims 2-5, 7, 16-19 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The prior art of record does not teach or fairly suggest in combination with other elements wherein, a request input module for receiving the data uploading request or the data downloading request from the output/input interface of, the manufacturer, and for generating a processing signal corresponding to the data uploading request or the data downloading request;

a control module for receiving the processing signal from the request input module, and for outputting a controlling signal according to the received processing signal, wherein the control module includes a storage interface, a schedule interface and a retrieval interface;

a first database for storing the manufacture associated data of the client order data, the material requirement data and the stock record data uploaded by the manufacturer; wherein if the control module receives the processing signal from the request input module corresponding to the data uploading request, it generates an uploading controlling signal for prompting; the storage interface to store the uploaded manufacture associated data in the first database, and generates an operation controlling signal for prompting the schedule interface to retrieve the uploaded data from the first database for data operation and processing;

a second database for storing operation data results of manufacture schedule data, order

module; wherein if the control module receives the processing signal from the request input module corresponding to the data downloading request, it generates a downloading controlling signal for prompting the retrieval interface to retrieve the operation data results of the manufacture schedule data, the order reply data, the abnormal condition data and the material insufficiency data from the second database as desirably used as reference for product manufacture; and

an output control module for transmitting the retrieved data of the manufacture schedule data, the order reply data, the abnormal condition data and the material insufficiency data to the output/input interface of the manufacturer, so as to allow the manufacturer to be able to control product manufacture for exportation on time and monitor stock quantity in real time as recited in claim 5.

Claim 7 is the further limit of claim 5 and would be allowable for the same reasons as described above.

The prior art of record does not teach or fairly suggest in combination with other elements wherein, retrieving the client order data from the database of the system for obtaining an order date and an exportation date from the client order data, and retrieving the material requirement data and the stock record data for obtaining currently available resources;

determining via the system if a user sets a number of interval days between the order date and the exportation date according to the client order data, wherein if the number of interval days is not set by the user, then it is automatically set by the system;

determining via the system according to the client order data if the exportation date is larger than a sum of the order date and the number of interval days, wherein if the exportation date is larger, step (2-4) is followed; or else, step (2-5) is followed;

setting the obtained available resources from the material requirement data and the stock record data via the system to be in a reserve status, so as to make the available resources used

to allow an purchasing department to add up new orders for product manufacture; and establishing manufacture schedule data via the system for production lines to execute product manufacture according to order requirements, and generating order reply data so as to estimate precise product exportation time, wherein the manufacture schedule data and the order reply data are stored in the database; and

setting the obtained available resources from the material requirement data and the stock record data via the system to be in a usage status, so as to make the available resources used in produ4-t manufacture for the client order data with the exportation date determined to be smaller than the sum of the order date and the number of interval days; and constructing manufacture schedule data via the system for production lines to execute product manufacture so as to allow products to be exported on time according to the client order data, and generating order reply data so as to estimate precise product exportation time, whereas the manufacture schedule data and the order reply data are stored in the database as recited in claim 2.

Claims 3-4 are further limits of claim 2 and would be allowable for same reasons as described above.

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mohammad Ali whose telephone number is (703) 605-4356. The examiner can normally be reached on Monday to Thursday from 7:30am-6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached on (703) 305-9790. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306 for any communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-9600.

MA



Mohammad Ali

April 27, 2004

Patent Examiner